

November 26, 2008

TO: Teresa Parsons
Director's Review Program Supervisor

FROM: Meredith Huff, SPHR
Director's Review Investigator

SUBJECT: Jonathan Schmidt v. Parks and Recreation Commission (P&R)
Allocation Review Request ALLO-07-115

Director's Review Conference

Mr. Jonathan Schmidt requested a Director's Review of his position's allocation by submitting a Request for Director's Review form on November 21, 2007. The time period for the review is the six months prior to July 25, 2007.

On October 21, 2008, I conducted a Director's review conference by phone. Present by phone were Jonathan Schmidt; Kathy Andruss, WFSE Classification Specialist and Joan Gallagher, WFSE Field Representative, representing Mr. Schmidt; Evan Roberts, Area Parks Manager and Mr. Schmidt's supervisor; Steve Wang, Interpretive Program Manager; Joe Vidales, Human Resources Consultant; and George Price, Human Resource Classification Manager representing P&R.

Director's Determination

As the Director's review investigator, I carefully considered all of the documentation in the file, the class specifications, and the information provided during the Director's review phone conference. Based on my review and analysis of Mr. Schmidt's assigned duties and responsibilities, I determine his position should be reallocated on a best fit basis to Parks Interpretive Consultant, class code 260T.

Background

Mr. Schmidt requested a reallocation by submitting a completed and signed Classification Questionnaire (CQ) to P&R SW Region OPS on July 25, 2007 (Exhibit C-1). Mr. Schmidt proposed that the Parks Interpretive Supervisor classification would be a better fit for his position. The CQ was forwarded to Human Resources at P&R Headquarters. On October 22, 2007, Mr. Price issued an allocation determination, indicating Mr. Schmidt's position was properly allocated to the Parks Interpretive (PI) Specialist classification. (Exhibit B-2) On Nov. 19, 2007, Mr. Schmidt submitted a request for a Director's Review of P&R's decision. (Exhibit A-1)

Summary of Mr. Schmidt's Comments

Mr. Schmidt is employed at the Long Beach Area State Parks (LBASP), SW region as a Parks Interpretive Specialist. On behalf of Mr. Schmidt, Ms. Andruss asserted that Cape Disappointment is the largest park in the state and is part of LBASP. She maintained that Mr. Schmidt has a lot of responsibility for developing and implementing the interpretive programs in the LBASP, as well as supervising the other PI Specialists.

Ms. Andruss talked about the PI Supervisor classification and indicated she felt it is the best fit for Mr. Schmidt's responsibilities. Ms. Andruss explained that the class specification does not specifically say the incumbent is required to be in the state headquarters office or have statewide impact in assigned responsibilities. She pointed out an e-mail from Christy Sterling of the P&R Human Resources office dated March 29, 2006 which talks about P&R's attempt to make changes to the PI Supervisor and Consultant classes. The e-mail says in part: *"We will not have the opportunity to propose changes again for two years. In the meantime, we will consider using the Parks Interpretive Consultant and the Parks Interpretive Supervisor classifications for positions in parks and regions on a 'best fit' basis."* (Exhibit B-7)

Ms. Gallagher emphasized that Mr. Schmidt is a great resource for Mr. Wang, who is located in the P&R Headquarters. She stated Long Beach State Parks is a large program with lots of activity. She indicated that Mr. Schmidt is a consultant to other parks statewide on interpretive programs. She encouraged use of the PI Supervisor class for reallocation of Mr. Schmidt's position on a best fit basis.

Mr. Schmidt explained that LBASP operates on a master plan that was developed and adopted five years ago and is based on the Bicentennial of Lewis and Clark. As the plan is now 50% implemented, Mr. Schmidt is developing a new plan for the next ten years as a recommendation to management to set a course of action. When the new plan is complete supervisors and others will review it. In developing the new plan, Mr. Schmidt meets with other Long Beach area organizations to discuss shared interests and activities. Mr. Schmidt verified he is the LBASP representative to organizations such as Destination: the Pacific, Long Beach Visitors' Bureau, the Confluence Project, Oregon State Parks, the National Park Service and others. Mr. Schmidt stated he also is a representative, along with his supervisor, to the Columbia River Gateway meetings. Mr. Schmidt confirmed that he develops and disseminates information about the parks and creates information for the exhibits such as those at the Lewis & Clark Interpretive Center.

Mr. Schmidt stated that he performs historical interpretive work in developing and exhibiting the LBASPs' Interpretive Programs; coordinates programs with private and non-profit groups and state and federal agencies; serves as a liaison for local groups; and revises and implements the LBA Parks Interpretive Master Plan. Mr. Schmidt stated he has authority for contracts and works with the Headquarters office for advertising and bids. Some contracted work is done in phases, and he reviews the work as it is in progress. He estimated that one project per year is contracted with a cost of approximately \$6,000.

Mr. Schmidt stated that effective in April 2006, he was assigned to supervise four full-time permanent positions; each is allocated as Parks Interpretive Specialist. Two of the supervised positions provide supervision of seasonal and volunteer positions. Another supervised position has curator responsibilities for collections of documents and artifacts that belong to the LBASP. Mr. Schmidt indicated he interviews and makes hiring recommendations to the regional office where the final hiring decision is made. He indicated that Mr. Roberts pre-approves overtime on a case by case basis and would be involved in taking any disciplinary action. Mr. Schmidt believes that the Parks Interpretive Supervisor classification best describes his duties and level of responsibility. Mr. Schmidt pointed out that his supervisor, Mr. Roberts, Park Manager, agreed on the CQ with Mr. Schmidt's statements.

Summary of P&R Comments

Mr. Price, in his letter of October 22, 2007, acknowledged Mr. Schmidt's position is supervisory and he has responsibility to research, develop and implement site interpretive master plans and programs. He further states that Mr. Schmidt has responsibility to coordinate, develop, revise and implement the LBA site interpretive master plan and interpretive programs. As a result, Mr. Price found that the Mr.

Schmidt's duties meet the definition of Parks Interpretive Specialist and is best allocated to that class. In his letter, Mr. Price also indicated that the PI Supervisor classification was not appropriate for Mr. Schmidt's position as: "The intent of this classification is to perform duties on a statewide basis. Your duties do not meet this definition because you do not perform statewide functions." (Exhibit B-2)

During the review conference, Mr. Price confirmed that historically the PI Supervisor class was intended to be used in the P&R Headquarters to perform unique duties that had a statewide impact. Mr. Price stated that this is not a true series of four classes. Rather he described it as two levels with two classes at each level. He specified the PI Assistant and the PI Specialist are located in the actual parks; the PI Consultant and PI Supervisor are intended to be at the P&R Headquarters. He stated that most of the typical work statements of these two Headquarters classes are indicative of state-wide programs. Mr. Price indicated the Headquarters' PI Consultant position was abolished in 1997 due to lack of funding. He indicated that position was focused on interpretive services. Mr. Price clarified that the most recent incumbent of the PI Supervisor class, Mr. Wang, was reallocated to a WMS position several years ago. At this time, the PI Supervisor class is not used in the P&R system; no employee is allocated to this class. Mr. Price maintained that of the available classifications, the PI Specialist is the best fit for Mr. Schmidt's position. Mr. Price affirmed that P&R has recently proposed changes to the Dept. of Personnel for this class series to make it more applicable to current positions.

Supervisors' Comments

Mr. Roberts, Mr. Schmidt's supervisor, commented during the phone conference, that the assignment of the supervisory responsibilities was verbally made to Mr. Schmidt. Mr. Roberts indicated that prior to April, 2006, a Park Ranger 2 position was responsible for supervision of the Parks Interpretive Specialists. When the Park Ranger position became vacant, it provided a window of opportunity to make changes and Mr. Schmidt was assigned the supervision duties. Mr. Roberts also indicated that he provides little supervision as Mr. Schmidt is responsible for devising his own work methods. Mr. Roberts submitted a letter in support of Mr. Schmidt's request for reallocation. (Exhibit B-8C)

By letter dated December 13, 2007, Mr. J. Paul Malmberg, Southwest Region Manager, provided information about Mr. Schmidt's responsibilities and stated appreciation for Mr. Schmidt's skills and knowledge. Mr. Malmberg stated that it was clear to him, "that Mr. Schmidt has been performing many of the functions of a Parks Interpretive Supervisor." (Exhibit B 8-A)

Rationale for Director's Determination

A position review is neither a measurement of the volume of work performed, nor an evaluation of the expertise with which the work is performed. A position review is a comparison of the duties and responsibilities of a particular position to the available classification specifications. This review results in a determination of the class that best describes the overall duties and responsibilities of the position. See Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

The Personnel Resources Board (PRB) has held the following:

... because a current and accurate description of a position's duties and responsibilities is documented in an approved classification questionnaire, the classification questionnaire becomes the basis for allocation of a position. An allocation determination must be based on the overall duties and responsibilities as documented in the classification questionnaire. Lawrence v. Dept of Social and Health Services, PAB No. ALLO-99-0027 (2000).

I recognize the dilemma Mr. Price has described that historically some classifications were intended for unique use in the Headquarters offices, such as the PI Consultant and PI Supervisor. Still, the e-mail from Christy Sterling dated March 29, 2006, indicates P&R's willingness to change that exclusive use: "*In the*

meantime, we will consider using the Parks Interpretive Consultant and Parks Interpretive Supervisor classifications for positions in parks and regions on a “best fit” basis.” (Exhibit B-7)

Parks Interpretive Specialist (Class code 260Q)

The Definition of this class states: “Researches, develops and implements site interpretive master plans and programs.”

Although the Typical Work statements are not used in allocating positions, they do provide information about the scope of the classification. The following Typical Work statements help further identify the expected level of work in this classification:

- Performs technical research which pertains to the development and implementation of interpretive programs at historic sites, natural areas and interpretive centers:
- Develops and disseminates information on heritage sites and other historical and natural areas. .
- Supervises and trains seasonal personnel engaged in interpretive programs.
- Assists as liaison between the agency and local groups regarding interpretation of historical, archaeological and natural areas . . .

Mr. Schmidt does research, develop and implement a site interpretive master plan and programs. However, Mr. Schmidt’s current responsibilities as described on the CQ and as confirmed in letters from his Supervisor, Mr. Roberts, and the Regional Manager, Mr. Malmberg, go beyond the scope of the definition for the PI Specialist. Mr. Schmidt’s supervises permanent, full-time employees allocated to the PI Specialist class. Mr. Schmidt’s research pertains to the creation, development and implementation of interpretive programs. Mr. Schmidt is a liaison between the LBASP and local groups as well as the neighboring Oregon State Parks and the federal National Parks. He has involved LBASP in collaborating on special events and programs with other area organizations. The scope and impact of Mr. Schmidt’s responsibilities and activities goes beyond that encompassed by the definition of the PI Specialist classification. The Parks Interpretive Specialist is not the best fit for Mr. Schmidt’s position.

Parks Interpretive Supervisor (class code 260V)

The Definition for this class reads: “Performs professional historical interpretive work in locating, developing, and exhibiting State historical and natural areas and attractions.”

Again, the Typical Work statements, although not an allocating factor, do provide guidance for the scope and breadth of impact of responsibilities. In part, the Typical Work statements include:

- Directs program of investigating, acquiring, improving and marking historic sites and geological or archaeological areas in conformity with plans of State Parks and Recreation Commission; . . .
- Supervises and participates in establishment of historical and natural history museums;
- Negotiates for acquisition of historical, archaeological, and geological areas as authorized. . . . develops these areas through preservation and interpretation.
- Supervises all personnel engaged in interpretive program; coordinates program with other agencies and groups.

The Definition and Typical Work statements are supportive of Mr. Price’s argument that this classification is expected to have a statewide impact. Mr. Schmidt does not locate and develop State historical and natural areas and attractions. His responsibilities are focused within the LBASP area; an area which is developed and does exhibit state historical natural areas and attractions. Within that developed area, Mr. Schmidt’s responsibilities are geared to further enhancing the attractions through interpretive programs and special events. Mr. Schmidt supervises interpretive specialists who also are involved in these programs and events in LBASP. I find that Mr. Schmidt’s responsibilities do not have

the state-wide breadth of impact and scope that is consistent with allocation to the PI Supervisor class. The Parks Interpretive Supervisor class is not the best fit for Mr. Schmidt's position.

Parks Interpretive Consultant (class code 260T)

The Definition for Parks Interpretive Consultant states: "Develops methods of interpreting historical data, natural history and natural settings for the Washington State Parks and Recreation Commission. Confers with architects, display fabricators, contractors and field staff to assure compliance with the desired theme and specifications. Provides consultative services to other State, County and municipal agencies. Plans researches, develops, and implements site interpretive master plans and programs."

Again, the Typical Work statements are not allocation criteria, but they provide further insight into the scope of this class with the following statements:

- Serves as consultant for the Dept. as well as other State, county, city and community organizations for brochures, promotional, educational and interpretive displays; provides technical expertise in interpretive center design and layout;
- Recommends design and type of displays in order for the Dept to contract for construction;
- Provides guidance and training in setting up park interpretive material for trail layout and evening programs for the visiting public
- Supervises personnel engaged in interpretive programs; coordinates interpretive programs with other agencies and groups as required

Mr. Schmidt does plan, research, develop and implements site interpretive master plans and interpretive programs and special events for the LBASP. He stated he is currently working on a master plan for the next ten years. He partners and collaborates with other state, county, city, federal and business organizations to provide special events and interpretive services and programs. He works with contractors and checks on the contractor's progress. He supervises personnel engaged in providing interpretive materials and programs. Mr. Malmberg has confirmed in his letter of Dec. 13, 2007, that the employees supervised by Mr. Schmidt are responsible for managing the operations of two interpretive centers, two house museums and a lighthouse. Ms. Sterling's e-mail indicates a willingness to use the PI Consultant class in the parks where appropriate. (Exhibit B-7). With the exception of working directly with the WA P&R Commission, as stated in the definition, I find that Mr. Schmidt's responsibilities are a best fit to the scope and level of work encompassed in the PI Consultant class. Mr. Schmidt's position should be reallocated to the Parks Interpretive Consultant class.

Appeal Rights

RCW 41.06.170 governs the right to appeal. RCW 41.06.170(4) provides, in relevant part, the following:

An employee incumbent in a position at the time of its allocation or reallocation, or the agency utilizing the position, may appeal the allocation or reallocation to . . . the Washington personnel resources board Notice of such appeal must be filed in writing within thirty days of the action from which appeal is taken.

The address for the Personnel Resources Board is 2828 Capitol Blvd., P.O. Box 40911, Olympia, Washington, 98504-0911.

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If no further action is taken, the Director's determination becomes final.

cc: Jonathan Schmidt
George Price, P&R
Kathy Andruss, WFSE Classification Specialist
Joan Gallagher, WFSE Field Representative
Lisa Skriletz, DOP

Enclosure: List of Exhibits

Exhibit List

A. Filed by employee November 19, 2007:

1. Director's Review Request form.
2. Position Questionnaire, undated and unsigned
3. Allocation determination letter October 22, 2007

B. Filed by employee January 15, 2008:

1. Director's Review Request form
2. Allocation determination letter October 22, 2007
3. Parks Interpretive Specialist Classification specifications
4. Classification Questionnaire date stamped May 9, 2006, position # 1363
 - A. Long Beach Area Organization Chart, revised: March 2006
5. Parks Interpretive Supervisor Classification specifications
6. Classification Questionnaire date stamped by HR Aug 7, 2007, position #1302
with examples of supervisor and other duties
7. Email from Christy Sterling, P&R, March 29, 2006
8. Letters of support
 - A. Paul Malmberg, Southwest Region Manager, dated Dec. 13, 2007
 - B. Steve Wang, Interpretive Program Manager
 - C. Evan Roberts, Park Manager, Long Beach Area, dated Nov. 5, 2007
9. Brochures
 - A. Nature and History Set the Stage
 - B. Cape Disappointment State Park

C. Filed by P&R September 18, 2008:

1. Classification Questionnaire August 7, 2007 –Jonathan Schmidt, Position #1302
2. Classification Questionnaire May 21, 1996 – Steve Wang – position #0024
3. Memo from Yvonne S. Ferrell to Mike Welsh March 25, 1980
4. Parks Interpretive Assistant class specifications, class code 260P
5. Parks Interpretive Specialist class specifications, class code 260Q
6. Parks Interpretive Consultant class specifications, class code 260T
7. Parks Interpretive Supervisor class specifications, class code 260V